
**State Executive Council for Children's Services
Executive Committee
August 19, 2021
10:00 AM – 11:30 AM**

**1604 Santa Rosa Road
Richmond, VA 23229
Hanover Room**

AGENDA

1. Welcome and "Roll Call"
2. Opening Comments – Secretary Carey
3. Approval of Minutes – May 2021 meeting
4. Public Comment
5. Status of Appointments to Vacant / Expiring Terms on the SEC
6. Implementation of the SEC Strategic Plan
 - Proposed draft of revised Strategic Plan
 - Family Engagement (Policy 3.3)
 - FAPT and Alternate Multi-disciplinary Teams (Policy 3.2)
 - Discussion of next steps re: agency outcomes data
7. Status and discussion of CSA related legislation and budget items
 - CSA / DOE work group on transfer of private special education to DOE
 - HB 2212 re: identification/corrective action plans for "low performing" CSA local programs
 - Rate setting study for private day special education
8. Agenda Items for September 9, 2021 SEC Meeting
 - Implementation Report and Discussion of Updates to the Strategic Plan
 - Issuance of two policies for Public Comment
9. New Business

Attachments:

- May 2021 Minutes
- Family Engagement (Policy 3.3) Public Comment Draft
- FAPT and Alternate Multi-disciplinary Teams (Policy 3.2) Public Comment Draft

**Scheduled Meetings for 2021 meetings (all meetings at 10:00 AM)
November 18**

**State Executive Council (SEC) for Children's Services
Executive Committee
VIRTUAL MEETING
1604 Santa Rosa Road, Suite 137
Richmond, VA 23229
May 20, 2021**

Present (Via Roll Call)

The Honorable Daniel Carey, M.D., Secretary of Health and Human Resources (Chair)
The Honorable Mary Biggs, Member, Montgomery County Board of Supervisors
Valerie Boykin, Director, Department of Juvenile Justice (DJJ)
Karen Kimsey, Director, Department of Medical Assistance Services (DMAS)
Sam Hollins, Assistant Superintendent, Department of Education (DOE)
Alison Land, Commissioner, Virginia Department of Behavioral Health and Developmental Services (DBHDS)
Duke Storen, Commissioner, Department of Social Services (VDSS)
Scott Reiner, Executive Director, Office of Children's Services (OCS)
Susan Whyte, Assistant Attorney General
Marsha Mucha, Administrative Staff Assistant (OCS)

Welcome, Introductions and Opening Comments

Secretary Carey called the virtual meeting to order at 10:02 a.m. He welcomed everyone and thanked them for their attendance. He noted that progress is being made on the COVID-19 front with less folks critically ill. Virginia is working toward resuming normal activities and people safely returning to their offices. He thanked everyone for their hard work during the pandemic and all those who have made this positive step forward possible.

Approval of Minutes

The minutes of the February 18, 2021 meeting were approved on a motion by Mary Biggs seconded by Valerie Boykin and approved by roll call vote.

Public Comment

There was no public comment.

Status of Appointments to Vacant/Expiring Terms on the SEC

Mr. Reiner reported that Margaret Franklin, a member of the Prince William Board of Supervisors, has been appointed to the SEC filling the local government seat vacated by Catherine Hudgins. All seats are currently filled, although several terms will be expiring the end of June. The names of those eligible for reappointment have been forwarded to the Secretary of the Commonwealth's Office.

Mr. Reiner noted that unfortunately Mary Biggs is finishing the second of her three-year terms and is not eligible for reappointment. Both Mr. Reiner and Secretary Carey thanked her for her work on the Council and she expressed her appreciation and thanks for the opportunity to serve.

Exposure draft of the FY2022 CSA Training Plan

Mr. Reiner reported that members had received a copy of the draft Training Plan with their meeting materials. An annual OCS Training Plan is required by the Appropriation Act. A report on training activities is due to the General Assembly later in the year.

Over time the Training Plan has been evolving, with this year's Training Plan including training activities to reflect legislation, the SEC's Strategic Plan, FFPSA, etc. Mr. Reiner noted that, more training activities are being planned in partnership with other agencies and are of an inter-agency collaborative nature. The draft Training Plan will be presented for SEC approval at its June 10 meeting.

Implementation of the SEC Strategic Plan

- **Notice of Intent to Develop Policy**

Mr. Reiner provided background information from the SEC's Strategic Plan regarding policy review. A workgroup was formed and has completed a review of SEC Policy 3.3, Family Engagement. The review was conducted with a focus on alignment, trauma-informed consideration and from an equity perspective. Members were provided with a draft copy of the proposed policy.

Mr. Reiner also reported that the workgroup is in the process of reviewing SEC Policy 3.2, Family Assessment and Planning Team. One of the major revisions to the policy centers on clarifying the expectations for Alternative Multidisciplinary Teams. The text of the revised policy is in the development stage by the workgroup for consideration at the next stage of the policy-making process.

Mr. Reiner presented a Notice of Intent to Develop Policy for SEC Policy 3.3 and SEC Policy 3.2, regarding changes being proposed to the policies. There being no objections from members of the SEC's Executive Committee, the Notices of Intent for both proposed policies will be presented for consideration by the SEC at their June 10 meeting. If approved at that meeting, the Notices of Intent will be disseminated for a 45-day public comment period.

- **Agency Outcomes Data**

Mr. Reiner asked members for suggestions on next steps to the data sharing information presented by Carlos Rivero at the March SEC meeting and how the information presented could be used to address the SEC's Strategic Plan goal of implementing and supporting outcome driven practices.

Discussion focused on use of existing agency data collection and analytics structures and/or the Commonwealth Data Trust/standardized data sharing agreements. OCS does not have the capacity and/or resources to lead the project, which will involve multiple agencies. Secretary Carey suggested further discussion of the topic apart from today's meeting.

Status and Discussion of CSA Related Legislation and Budget Items

- CSA/DOE Work group – A work group is being convened to plan for the transfer of private special education funding from CSA to DOE. A preliminary report is due in November 2021, with a final report due in November 2022.
- HB2212 – Monitoring and assisting low performing local CSA programs. Includes one additional FTE. Will convene a small work group and develop a methodology and present to the SEC for consideration at the September meeting.
- Rate Study – Data collection for the private day special education study will begin on June 1. A committee of private day providers will advise the study consultants.

Agenda Items for June 10, 2021 SEC Meeting

- Status Report on Implementation of the Strategic Plan
- Approval of FY2022 CSA Training Plan
- Notices of Intent to Develop Policy
- CSA/DOE work group on transfer of private special education to DOE
- CSA work group to implement HB2212

New Business

Valerie Boykin reported that she attended the first meeting of a newly formed workgroup on SB1206, which provides that juvenile court service unit records and DJJ records may be open for inspection to VDSS or any local DSS that is providing services or care for, or has accepted a referral for family assessment or investigation and the provision of services regarding, a juvenile and these local agencies have entered into a formal agreement with DJJ to provide coordinated services to such juveniles.

Adjournment

There being no further business, the meeting adjourned at 11:00 a.m.

POLICY 3.3

FAMILY ENGAGEMENT

3.3.1 Purpose

To guide local Community Policy and Management Teams (CPMT) under the Children's Services Act (CSA) concerning effective engagement with children and families seeking and receiving services. Effective family engagement is a core component in the system of care and is essential for achieving positive outcomes for children, families, and communities.

3.3.2 Authority

- A. Section 2.2-5200.A. of the *Code of Virginia (COV)* defines the intention to the CSA "to create a collaborative system of services and funding that is child-centered, family-focused and community-based ..." emphasizing the key role of children and families as partners in the CSA process.
- B. COV Section 2.2-2506 states that the CPMT "shall manage the cooperative efforts in each community to serve better the needs of troubled and at-risk youth and their families..." This responsibility includes the duty to: "Develop interagency policies and procedures to govern the provision of services to children and families in its community. (§2.2-5206 (1))
- C. COV Section 2.2-2508 (2) specifies that the Family Assessment and Planning Team (FAPT) shall "Provide for family participation in all aspects of assessment, planning, and implementation of services."
- D. COV Section 2.2-2508 (3) specifies that the FAPT shall: "Provide for the participation of foster parents in the assessment, planning, and implementation of services when a child has a program goal of permanent foster care or is in a long-term foster care placement."... "The opinions of the foster parents shall be considered by the family assessment and planning team in its deliberations."
- E. COV Section 2.2-2649 (4) requires the Office of Children's Services (OCS) to "provide training and technical assistance to localities in the provision of efficient and effective services that are responsive to the strengths and needs of troubled youth and their families." COV Section 2.2-2649 (10) requires OCS to identify, disseminate, and provide annual training for CSA staff and other interested parties on best practices and evidence-based practices related to the CSA program.

3.3.3 Definitions

"Community Policy and Management Team (CMPT)" is the entity that develops, implements, and monitors the local CSA program through policy development, quality assurance, and oversight functions.

For this policy's purpose, *"Family"* is broadly defined to include the youth and all persons the youth considers/defines as part of their family and who may be involved with or affected by the services provided. The family includes birth parents, relative or fictive kin, adoptive parents, foster parents, grandparents, siblings (including half- and adult siblings), legal custodians, natural supports, and any other primary or secondary caretakers, including prospective caretakers in the case of children in the custody of a child-servicing agency.

"Family engagement" is a relationship-focused approach to establish and maintain full participation of families in the CSA process to make decisions leading to successful long-term outcomes. Families must be included as critical stakeholders to promote the safety, permanency, and well-being of youth and their families. Family engagement acknowledges, respects, and incorporates the family's unique history and experiences, including cultural, linguistic, and other essential aspects of self-identity into all decision-making processes.

"Family Assessment and Planning Team (FAPT)" is a locality's Multidisciplinary Team (MDT) that implements the CSA by recommending services for children and families. When making a decision, the team will take into consideration every child and family's unique strengths and challenges when addressing their specific needs as best they can. Families are included in all FAPT assessment, service planning, and decision making.

"System of Care" is the collaborative framework used in CSA to address youth and families' needs, ideally generating optimal solutions to complex situations. The System of Care places the youth and family in the central role in service planning.

3.3.4 Values Statements

- A. The State Executive Council for Children's Services (SEC) maintains that meeting the legislative intent for family participation in CSA must go beyond simply inviting family members to attend FAPT meetings and informing them about the decisions made in the FAPT process. The decision-making process must be family-driven.
- B. The underlying values of CSA and the System of Care include the following beliefs:
 - 1. All families have strengths;
 - 2. Families are the experts on themselves;

3. Families deserve to be treated with dignity and respect;
4. When supported, families can make well-informed decisions about themselves and their children;
5. Family voice and choice is a trauma-informed approach to service engagement;
6. Families are shaped by their rich and unique histories and cultural backgrounds. This includes the entirety of those elements that shape individual members' identities and the family as a whole. Such elements include but are not limited to race, ethnicity, culture, religion, language, sexual orientation, gender identity, disability status, and history of personal and collective trauma.
7. Outcomes improve when families are involved in decision-making; and
8. A team that genuinely includes youth and family is often more capable of creative and high-quality decision-making than individuals or groups of professionals alone.

3.3.5 CSA Family Engagement Requirements

- A. CPMTs must have written policies for FAPT processes that describe how they ensure family and youth involvement in the assessment, planning, delivery, and review of services.
 1. Policies should make allowances for family members who cannot attend meetings held during regular business hours. Local CSA programs should consider holding FAPT meetings at non-traditional hours, prioritizing maximum family engagement.
 2. Local CSA programs should explore and, where feasible, arrange audio, video, and other Access and Functional Needs component platforms for virtual participation, when appropriate.
- B. All communication with youth and family, whether oral or in writing, will be provided, as feasible, in the youth and family's language of choice, and be mindful of various dialects and literacy needs.
 1. CSA programs and participating agencies should identify resources and arrange for translation services where needed.
 2. CSA program policies and practices should incorporate a review process to assure that all communication materials are easily understandable and accessible to families. This should include minimal use of jargon and technical language.

3. The Office of Children's Services will provide a list of resources to assist localities with this requirement.
- C. The CPMT is responsible for equitable, consistent, efficient, and effective CSA services to children and their families. Redundant or duplicative processes should be streamlined, both within the CSA program and across child-serving agencies, to promote family engagement.
 1. For example, processes that require a youth and family to repeatedly "tell their story," which may be a traumatic trigger, should be eliminated to the greatest extent possible.
 - D. Youth and family shall be given accurate information regarding the CSA process, their role and rights during the process, and how decisions are made regarding service delivery. This information includes an explanation of the affiliations and roles of the various participant in the process.
 1. Training, along with general information regarding the eligibility for CSA and the CSA decision-making process, should be available for all interested stakeholders.
 - E. CPMTs are responsible for implementing procedures to assess and measure the quality of family engagement protocols and processes. These include, but are not limited to, periodic surveys of youth and families to better understand the CSA process from their perspectives. Local CSA programs should strive to stay aware of the success of their family engagement efforts and areas for improvement.
 - E. CSA program staff and agency participants should hold themselves to the highest standards of respect for and responsiveness to all aspects of diversity, including differences in race, economic status, culture, disability status, gender identity, and other areas when interacting with youth and family.
 - F. Local CSA programs should engage in outreach regarding the CSA process to marginalized youth and families, including, but not limited to, non-English speakers, those experiencing housing insecurity, and those experiencing poverty. In doing so, the CPMT should form partnerships with diverse and representative families, businesses, and community organizations.

3.3.6 Role of the Office of Children's Services (OCS)

- A. Following its statutory responsibilities (OCS) will provide training and technical assistance to local CSA programs regarding family engagement. Such training and technical assistance can take place through a variety of formats and delivery mechanisms.
1. OCS shall review family engagement practices in local CSA programs as a component of its interactions with local CSA programs. OCS will compile periodic state-level reports summarizing family engagement practices, activities, and available resources.
 2. OCS shall provide tools (e.g., a model family survey, program self-assessment frameworks) for use by local CSA programs in evaluating and improving their family engagement policies and practices.

POLICY 3.2

FAMILY ASSESSMENT AND PLANNING TEAM

3.2.1 Purpose

To define the establishment, appointment, and membership of Family Assessment and Planning Teams (FAPT) and to establish requirements of the policies to be adopted by Community Policy and Management Teams (CPMT) for the designation of Alternative Multidisciplinary Teams (MDT).

Alternative multidisciplinary teams provide a local Children's Services Act program to organize and operate flexibly while maintaining core statutory requirements and adherence to the system of care model.

3.2.2 Authority

- A. Section 2.2-2648.D of the *Code of Virginia (COV)* establishes powers and duties of the State Executive Council for Children's Services (SEC). Subsection (14) requires the SEC to "review and approve a request by a CPMT to establish a collaborative, multidisciplinary team process for referral and reviews of children and families according to §2.2-5209."
- B. COV Section 2.2-5207 requires that "each community policy and management team shall establish and appoint one or more family assessment and planning teams as the needs of the community require" and lists the required representatives on each FAPT. This section also provides additional information concerning responsibilities of conditions about FAPT membership.
- C. COV Section 2.2-5209 states that "the community policy and management team shall establish policies governing the referral of troubled youths and families to the family assessment and planning team or a collaborative, multidisciplinary team process approved by the Council."

3.2.3 Definitions

"*Community Policy and Management Teams (CPMT)*" is the entity that develops, implements, and monitors the CSA local program through policy development, quality assurance, and oversight functions.

"*Family Assessment and Planning Team (FAPT)*" is a locality's Multidisciplinary Team (MDT) that implements the CSA by recommending services for children and families. The team considers every child and family's strengths and challenges to address their specific needs as best they can. Families are included in all FAPT assessment, service planning, and decision making.

"Multidisciplinary Team (MDT)" is an alternate to a "standard" FAPT that provides an option to local CSA programs to provide review and recommendations for an identified group or type of cases and can complete all of the statutory duties of a standard FAPT, including a recommendation of services for authorization by the CPMT.

"State Executive Council for Children's Services (SEC)" is the supervisory body established in the *Code of Virginia* to oversee the administration of the Children's Services Act (CSA).

"Office of Children's Services (OCS)" serves as the administrative entity of the executive branch of state government and the SEC to ensure that the decisions and policies of the Council are implemented in accordance with the powers and duties granted by statute in the Code of Virginia.

"Parent Representative" is an individual who is a parent and serves in the required role as a member of the FAPT. The parent representative should ideally be a person with "lived experience" and whose child has received services within the purview of, or similar to those provided through, the Children's Services Act.

3.2.4 Establishment, Appointment, and Membership

- A. Each CPMT shall establish and appoint one or more family assessment and planning teams ("FAPT") as the needs of the community require to act and perform the powers and duties granted by statute in COV §2.2-5208.
- B. Each FAPT shall include the following representatives of the following community agencies who have authority to access services within their respective agencies:
 - 1. Community services board;
 - 2. Juvenile court services unit;
 - 3. Department of social services;
 - 4. School division;
 - 5. If requested by the chair of the CPMT, a representative of the Department of Health;
 - 6. A parent representative; and
 - 7. At the discretion of the CPMT, a representative of a private organization or association of providers for children's or family services and other public agencies.
- C. Parent representatives employed by a public or private program that receives funds through the CSA or agencies represented on a FAPT may serve as a parent representative provided that they do not, as a part of their employment, interact directly on a regular and daily basis with children or supervise employees who interact

directly on a regular basis with children. Notwithstanding this provision, foster parents may serve as parent representatives.

- D. Parent representatives serving on the FAPT or members representing private service providers shall abstain from decision-making involving individual cases or agencies in which they have either a personal interest, as defined in §2.2-3101 of the State and Local Government Conflict of Interests Act, or a fiduciary interest.

3.2.5 Alternate Multidisciplinary Team

- A. As provided for in COV §2.2-2648 (14), the SEC shall review, and may approve, requests from CPMTs to establish a collaborative, multidisciplinary team ("MDT") (see COV §2.2-5209) to meet the requirements of the CSA.
- B. Requests for such approval shall be in writing and made available for review by the OCS and the SEC.
- C. The CPMT shall develop and approve written policy governing the membership and operation of the MDT. The CPMT shall make these policies available for review to OCS before referral to the SEC for consideration. The policies must specify:
 - 1. The purpose of the MDT, including the types of cases/circumstances that will be considered.
 - 2. How the MDT procedures and practices align and integrate with those of the CPMT's member agencies.
 - 3. Whether the MDT shall be a standing team that meets regularly or if it will operate on an ad hoc basis. If on an ad hoc basis, under what circumstances will the MDT be convened and through what procedure. Examples of regular, standing MDTs include teams for children in residential care, truancy cases, or foster care prevention.
 - 4. The minimum number of agency representatives to constitute the MDT (from among the FAPT-required agencies). This specification shall identify the agencies that shall be represented on the MDT and processes for soliciting additional input from other agencies, as needed MDTs may include additional members as needed.
 - 5. How the MDT will include family engagement practices and be family-driven (See SEC Policy 3.3).
 - 6. The process through which funding approval requests will be submitted directly from the MDT to the CPMT.

- 7. Alternate multidisciplinary teams must meet all relevant statutory and policy requirements of the CSA.
- D. Specific requirements for MDT members (i.e., those delineated in Section 3.2.4.C. and 3.2.4.D of this policy) shall apply.

Public Comment Draft